

**Town of Hamilton Regular Board Meeting Minutes
Thursday March 10, 2016 at 6:30 p.m.
Held at the Town Office, 16 Broad Street, Hamilton, NY**

Present: Eve Ann Shwartz, Peter Darby, Suzanne Collins (late 6:45), Chris Rossi (left 7:01 pm), David Holcomb. Others Present: Sue Reymers, Bert Glazier, Brynley Wilcox, Russ and Sally Lura, Jim Leach, Carolyn Todd.

Call to order & Welcome: Supervisor Shwartz called the meeting to order at 6:34 p.m.

Public Comments:

Jim Leach, President of PCD, updated the Council on PCD activities.

Supervisor Shwartz reviewed a letter from the Village of Hamilton about a public hearing on March 15, 2016 for consideration of a Local Law to amend the Village’s Zoning Map to change the zoning classification for a premise located at the air park.

GENERAL:

Approval of Minutes

RESOLUTION 2016-26: Approval of Minutes

On a motion of Councilmember Rossi, seconded by Councilmember Collins, the following resolution was: ADOPTED: Ayes: 5, Nays: 0

Resolved that the minutes from January 14, 2016 be approved.

Claims for Payment:

RESOLUTION 2016-27: Audit of Claims

On a motion of Councilmember Darby, seconded by Councilmember Holcomb, the following resolution was: ADOPTED: Ayes: 5, Nays: 0

Resolved that the bills contained on Abstract #3 have been reviewed by the Town Board and are authorized for payment totaling \$51,438.77 in the following amounts:

General Fund A	No.	60	<i>through</i>	88	\$30,860.29
General Fund B	No.	14	<i>through</i>	16	\$202.90
Highway Fund DB	No.	25	<i>through</i>	35	\$19,980.58
Lighting Districts	No.	5	<i>through</i>	6	\$395.00

Comprehensive Plan Committee Report – Chris Rossi

Due to Chris Rossi needing to leave early, she gave her report early. Ms. Rossi shared that the board needs find a date to have a workshop to review the plan as this would be the most effective way to see if it needs editing or not. This needs to happen soon because of the timeline as the public hearing is scheduled by May 11th. Sue Reymers reached out to Nan to ask if there were options if the board read it and felt there were major edits. What would have to happen, and Steve Jones should confirm if it’s possible, the board could retract the formal submission of the document to stop the timeline. The board could send the edits to the committee who can then turn it back over to the council formally. It’s

crucial for us to determine if there are significant changes. The board determined that Wednesday, March 30 would work at 7 pm. Notice will go in the paper. The Public Hearing was tentatively scheduled for Monday May 9 at 7 pm. the first choice for location is the Hamilton Library with the Poolville Community Center as back-up. The Comprehensive Plan Committee should be there. The board agreed that Nan Stolzenberg should be in attendance at the public hearing. The public hearing could start with a mini-slide show, mention what was changed since the last presentation, answer questions on comments submitted, then go into public hearing.

Supervisor/Bookkeeper - Brynley Wilcox

Ms. Wilcox reviewed her report, including some recent income that was received with the most notable being the last installment of Federal funding from FEMA in the amount of \$25,071.75 was received on March 8. Also, income is down on snow plowing. She also reviewed a webinar that she took on sales tax, which compared 2014 versus 2015. Madison County sales tax was up, but regionally was down. Research was done on reinstalling a garage phone. Last April the garage landline was closed down which saved over \$1,000. Currently, the town garage pays for internet at \$928.20 per year. It would be necessary to upgrade the internet. To add a phone line is \$35 per month. There were two phone lines previously as one was for a fax. It looks like it might be possible to get the same phone numbers. Frontier owns the number. We have to set-it up with frontier and switch it over. Not convenient. Easier to get a new number. Need to check into a voicemail. Bert requested that it be forwarded to his cell phone.

RESOLUTION 2016-28: Authorization to setup Highway Phone in Town Garage

On a motion of Councilmember Collins, seconded by Councilmember Darby, the following resolution was: ADOPTED: Ayes: 3-Shwartz, Collins, Holcomb, Nays: 1 - Darby Resolved that a new phone line be setup at the town garage for one (1) year with a new Time Warner phone number with voicemail and forwarded to Bert's cell phone. Ms. Wilcox will get the past records to review usage.

RESOLUTION 2016-29: Funds Transfer

On a motion of Councilmember Darby, seconded by Councilmember Holcomb, the following resolution was: ADOPTED: Ayes: 4, Nays: 0 Resolved that \$50,000 be transferred from the A Fund from the Community Bank Money Market Account to NBT Checking Account.

RESOLUTION 2016-30: Approval of Annual Update Document

On a motion of Councilmember Darby, seconded by Councilmember Holcomb, the following resolution was: ADOPTED: Ayes: 4, Nays: 0 Resolved that the Annual Update Document be approved as presented and be submitted to NYS.

Brynley Wilcox noted that on the balance sheet that \$107,000 has not been transferred yet. Waiting for more sales tax to transfer.

RESOLUTION 2016-31: Receive and File Financials

On a motion Councilmember Collins, seconded by Councilmember Darby, the following resolution was: ADOPTED: Ayes: 4, Nays: 0

Resolved that the February 2016 monthly financials be received and filed.

TOWN REPORTS:**Highway Superintendent - Bert Glazier**

Plowing and sanding of all roads. Met with Wakeman today about the building. He took pictures and spoke with Barton and Loguidice. He also spoke with his engineer. He will submit it to us in a week.

Mr. Darby brought the board up to speed. The town is still unsure why the roof was too long. To solve the issue, a one (1) foot concrete extension was added on to the building. When they put the frame up, one of the two bolts (thunder studs) in the concrete extension cracked. It was caulked up to keep out the weather. We asked Dave Mitchell of Barton & Loguidice to ensure that the fix proposed by contractor's engineer is satisfactory. The proposal is that the crack be cleaned out with a grinder and a compressor to clean sound concrete and epoxy be put injected into it. He spoke with Dave Mitchell and he says that the epoxy is stronger than the original cement. The issue seems to be that the installation of the epoxy be done well. Wakeman would handle this fix. Mr. Darby stated that he wants to be there to witness it. Supervisor Shwartz stated that the final payment has not be made and we have not signed off on the warranty because we have not been satisfied. It has taken a while to get the engineer to focus on what we wanted him to do, which was to make sure the fix is satisfactory. We don't want a one year warranty on a fix that may not be as strong as the original. We have also not paid Barton & Loguidice. Mr. Glazier felt that we should wait for good weather to do the epoxy. Payments should be held until resolution.

Met with Valesky and Magee on CHiPS. The Highway group went to Albany. The group is looking for a 25% increase over 5 years. It has not been raised in 9 years.

We rented a broom and are cutting shoulders because they are too high. We did Eaton Road and almost done with Horton. Next road will be Preston Hill, Bonney Hill, Hill Road, Noble, Humphrey, Williams, Excel, Kiley, and Smith. Hope to get done in next two weeks. After we ditch, we will re-shoulder. The material pulled from the shoulders is being piled at the garage to be used to as top soil to grow some grass for the berm area. The new truck is in Pulaski and we should have it next week.

Town Clerk - Sue Reymers

Sales and activity were up a little in February. Clerk Reymers attended a quarterly board meeting for the NYS Town Clerks Association on March 6 and had a training on the 7th on Marriage Licenses, Birth and Death Certificates and the new Electronic Death Registry System that NYS is implementing this year. Basically, death records will be handled in an electronic system that will include hospitals, funeral homes, hospices, and registrars.

Clerks were able to see what the system will look like. There will be options to drop to paper. Ms. Reymers has her Notary ID number, but am waiting for the final step and supplies. Ms. Reymers is also working towards having enough credits to apply to become a Registered Municipal Clerk, which would enable her to put RMC after her name. The RMC program was established to recognize educational and professional accomplishments in preparation for a Municipal career. The program serves to promote continuing education of clerks to better serve their Boards and Community. There is not a lot of new information on grants. The vendor id numbers is set-up. The Salt Shed grant is pending Program Manager Review.

Clerk Reymers appointed Elisa Robertson as her Deputy Clerk, Collector, and Registrar.

RESOLUTION 2016-32: Appointment of Clerk to Planning and Zoning Boards

On a motion Councilmember Darby, seconded by Councilmember Holcomb, the following resolution was: ADOPTED: Ayes: 4, Nays: 0

Resolved that Elisa Robertson be appointed as Clerk to the Planning Board and Zoning Board of Appeals.

Codes Enforcement Officer–Donald Forth

Two projects for Codes, one is for solar on Smith Road and the other is for a new wood stove on Bonney Hill Road.

COMMITTEE REPORTS:

SOMAC - David Holcomb

Mr. Holcomb reported that the SOMAC Board met on February 24. Two town board members are splitting it for the Town of Lebanon and neither showed up. The meeting was moved to meet their needs. SOMAC is looking healthy. A statistics sheet for January 2016 was passed to the board. Mr. Holcomb reminded the board that he is not a voting member. He reported that while at the meetings, the Director of Operations and staff who attend look professional in their full uniform and clean cut. They are still underpaid. We are getting bang for our buck. People should be rest assured that tax dollars are well spent. Look at past and look at now, get what you pay for. January was a busy month with 47 Priority 1 and 11 Priority 2. If they treat but do not transfer, they cannot bill. Murray DeCock is involved now to help with fundraising.

Comprehensive Plan - Chris Rossi Already reported on.

Partnership for Community Development - Peter Darby Already reported on.

38 Milford Street - Suzanne Collins/Peter Darby

Supervisor Shwartz shared that the town received RFPs from 4 architectural firms, and interviewed two of them. The committee unanimously chose Bell & Spina. They came up with creative ideas on how to solve problems in the building. They are concerned about the strength and stability of the structure. They initially are recommending that we pour cement foundation under whole building rather than rely on the piers because they are so old. Both firms we interviewed expressed concerned about the original plan with the

storage on the second floor. Mr. Darby stated that the RFP requested for a price on the original plan, both came back with ideas because the plan we have is not buildable.

Supervisor Shwartz spoke with Steve Jones who recommended Jim Hughes from Hancock Estabrook because this is what he does and he is happy to take on our project and represent our interests. Jim is reviewing the architect's contract for \$61,700. It's less expensive than the other architect. The committee has learned a lot and we will have a better building. They want to preserve some of the historic aspects of the building, but be energy efficient. The timeline is about 7-10 months. Need to work on design in the next month. The board discussed Wicks Law.

RESOLUTION 2016-33: Authorization for Supervisor to sign Architect's Contract

On a motion Councilmember Darby, seconded by Councilmember Collins, the following resolution was: ADOPTED: Ayes: 4, Nays: 0

Resolved that the Supervisor be authorized to enter into a contract with Bell and Spina for \$61,700.

RESOLUTION 2016-34: Authorization for Supervisor to Retain Attorney Jim Hughes

On a motion Councilmember Holcomb, seconded by Councilmember Collins, the following resolution was: ADOPTED: Ayes: 4, Nays: 0

Resolved that the Supervisor be authorized to retain Jim Hughes at the rate of \$180 per hour not to exceed \$4,000.

Hazmat survey: There are three proposals from Delta, Atlantic Testing, and ECMC. As soon as we have Bell and Spina on board, we will select a contractor.

Court Consolidation - Suzanne Collins Committee will meet at end of the month.

OLD BUSINESS:

ZBA Appointment: We have an opening for an unexpired term. Lydia Slater is ready to serve. She is from Poolville originally and lives in Hubbardsville.

RESOLUTION 2016-35: Appointment of Lydia Slater to Zoning Board

On a motion Councilmember Holcomb, seconded by Councilmember Darby, the following resolution was: ADOPTED: Ayes: 4, Nays: 0

Resolved that Lydia Slater be appointed to fulfill an unexpired five year term that started January 1, 2014 and ends December 31, 2018.

Vet Exemptions

Board decided last time that they wanted to learn more. The board does want to pursue a better understanding they want to know the number of veterans in our community. The discount is on the taxable value. Supervisor Shwartz will talk with the Assessor and will try to come back with a proposal for the board to consider.

NEW BUSINESS:**Authorization for Assessor to Conduct Assessment Update Resolution****RESOLUTION 2016-36: Authorization for Assessor to Conduct Assessment Update**

WHEREAS, Section 305 of the New York State Real Property Tax Law mandates uniform and equitable assessments: and

WHEREAS, computer-assisted mass appraisal systems, technical advice, and financial assistance are available by the cooperative agreement with the New York State Office of Real Property Services and the Madison County Real Property Tax Services agency, and

WHEREAS, the last town-wide reassessment of our real property took place as a reassessment in 2011,

WHEREAS, the Town Board is convinced that an update assessment is necessary to comply with Section 305 of the New York State Real Property Tax Law;

NOW, THEREFORE, BE IT RESOLVED, on this 10th day of March 2016 on motion of Councilmember Collins, seconded by Councilmember Darby as follows:

SECTION 1. That the Assessor of the Town of Hamilton is hereby authorized to undertake and implement an assessment update for the 2017 assessment roll.

SECTION 2. That the Town Board does hereby agree, in conjunction with the New York State Office of Real Property Services and the Madison Country Real Property Tax Services agency, to support the Town's assessment staff in this assessment update.

SECTION 3. That the Town Board and the assessor are authorized to enter into any necessary agreements to achieve this purpose. Any agreements resulting in expenditure by the Town of Hamilton must first be approved by the Town Board.

This resolution shall take effect immediately.

WHEREFORE, the Town Board of the Town of Hamilton, Madison County, put this Resolution to a vote of the members of the Town Board on this 10th day of March, 2016, the results of which vote was as follows: Ayes: 4-Shwartz, Darby, Collins, Holcomb. Nays: 0. Absent: Rossi.

Planning Board Call for Action on Two Lot Subdivision Waiver

Clerk Reymers and Mr. Darby explained that the two lot subdivision waiver means that they do not go before the Planning Board for review. This means that a non-buildable lot or a non-conforming lot in the Zoning Law could be created. The Planning Board passed a resolution at their March 1st meeting asking for the Town Council to establish a moratorium. Steve Jones did some further research and discovered that the Town's Subdivision Regulations were adopted, but not passed via a local law. Therefore, the Town Board can send it to the Planning Board to amend the document, hold a public hearing, approve the amendment, then sends it to the Town Board for final approval.

RESOLUTION 2016-37: Recommendation for Planning Board to consider amending the Subdivision Regulations

Whereas, the Town of Hamilton Planning Board has requested that the Town Board enact a moratorium on Subdivision Regulations Section 350 entitled Two Lot Subdivision Waiver; and

Whereas, Section 170 of the Subdivision Regulations allows the Town Planning Board to amend the Subdivision Regulations "on its own motion and after public hearing ...subject to the approval of the Town Board"; and

Whereas, enacting a moratorium would involve the same formality and procedure as passage of a local law;

Now, Therefore Be It Resolved that the Town Board recommends that the Planning Board consider amending the Subdivision Regulations, after public hearing, subject to final approval of said amendments by the Town Board.

On motion of Councilmember Darby, Seconded by Holcomb, the following resolution was: ADOPTED: Ayes: 4-Shwartz, Holcomb, Darby, Collins. Nays: 0. Absent: Rossi.

Concerns of Town Board: None

Supervisor's Report: Madison County Activities:

Still looking to get a law passed as part of budget bill to increase 25% of revenue resulting from Yellow Brick Road Casino. Dave Valesky made it part of his priority. Governor can veto it even if it passes. Also, controversy over proposed mural for Board of Supervisor's room at \$35,000.

RESOLUTION 2016-38: Executive Session

On a motion Councilmember Collins, seconded by Councilmember Holcomb, the following resolution was: ADOPTED: Ayes: 4 Nays: 0

Resolved that this Board move into an Executive Session for the purposes of contract and personnel at 8:20 p.m.

RESOLUTION 2016-39: Return to Regular Session

On a motion Councilmember Darby, seconded by Councilmember Collins, the following resolution was: ADOPTED: Ayes: 4 Nays: 0

Resolved that the Board return to regular session at 9:23 p.m.

RESOLUTION 2016-40: Authorization to Purchase Wheeled Excavator

On a motion Councilmember Darby, seconded by Councilmember Holcomb, the following resolution was: ADOPTED: Ayes: 4 Nays: 0

Resolved that the town spend up to \$95,000 for a used wheeled excavator from Town of Cazenovia.

With no further business, on a motion of Councilmember Darby, seconded by Councilmember Holcomb, the meeting was adjourned at 9:24 p.m. Carried unanimously.

Respectfully submitted,
Suzanne Reymers, Town Clerk